THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO.561 of 2006

-

6th January 2006

Between:

Smt. B. Lingamma W/o Shankaraiah, 42 years,
R/o Pillaipally Village, Pochampally, Mandal, Nalgonda District.

...PETITIONER

AND

The Deputy Commissioner, Prohibition and Excise, Ranga Reddy District.

...RESPONDENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO.561 of 2006

ORDER:

The petitioner is the owner of the vehicle i.e., jeep bearing No.AP 9 V 8677 and it was seized on 07.08.2005 in crime No.106/2005-2006 of Prohibition & Excise P.S. Ghatkesar, Ranga Reddy District on the ground that the said vehicle was found transporting toddy illegally. It is settled that when any property is seized under the provisions of the Excise Act, the same has to be produced before the Deputy Commissioner, Prohibition & Excise, the respondent herein and he is the competent authority to grant custody or to pass final orders with regard to the confiscation. It is stated that the petitioner has filed an application before the Deputy Commissioner for release of the said vehicle on 11.10.2005 but the same was not considered.

In view of the facts and circumstances of the case, the Writ Petition is disposed of with a direction to the petitioner to file fresh application, along with necessary documents pertaining to the vehicle in support of her contention that she is the registered owner, before the respondent for grant of interim custody of the vehicle and if any such application is filed, the respondent is directed to dispose of the same within four weeks from filing of such application. No costs.

(V.ESWARAIAH, J)

6th January 2006

RRB